

Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, July 26, 2004 at 7:00 PM

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux, and Daniel Morgado, Town Manager. Mr. DePalo called the meeting to order at 7:01pm.

Preliminaries:

1. Approve bills, payrolls and warrants #04105S in the amount of \$395,133.64, #0503 in the amount of \$480,248.05, #0505 in the amount of \$300,355.40, #0506 in the amount of \$14,828,119.68, and #0508 in the amount of \$2,438,152.92.
2. Approve Minutes of July 12, 2004. Motion made, seconded and unanimously voted to approve.
3. Announcements – Mr. Lebeaux announced that the Shrewsbury Community Band will hold their second performance at the Dean Park Bandstand on July 28th. He encouraged residents to bring a blanket or lawn chair and attend. In the event of rain the concert will be held the following evening. Mr. Fiore announced that the Spirit of Shrewsbury Committee had set two dates for events. The first is the Annual Dinner Dance honoring the Grand Marshall, Arthur Dobson, and will be held at Hoagland-Pincus Conference Center on September 18th. The second event, an All Age Social, is scheduled for August 27th at the Milan Restaurant on Route 9. Pins can be purchased from Committee members for \$10 each which will provide admittance to the Social.
4. Town Manager's Report - Nothing other than what is on the Agenda.

Meetings:

- 4a. 7:00pm - Update on Major Public Works Projects – Town Engineer, Jack Perreault. Mr. Perreault reviewed the various projects going on in town at this time. The Town Center project, which will include extensive renovations to the common, is scheduled for completion in the fall. He thanked residents for their patience throughout the ongoing construction associated with this project. The Centech Boulevard project is going well. However, signal work will not be started until road work is completed. Signals should be operational next spring. Work on improvements to the water and sewer systems in the Route 9 area is substantially complete and should be finished by year end. There are several other water main and drainage projects scheduled to go out for bid in the near future. Culvert replacement work in various town locations is also scheduled. Mr. DePalo thanked Mr. Perreault for coming in and updating the Board.

Public Hearings:

5. 7:15pm – Gail D. Brunyak d/b/a G & M Cart Company, 1000 Boston Turnpike, Common Victualler's License. Hours of Operation to be determined by mall management. Gail and Michael Brunyak were present and advised the Board that they planning no changes in the operation of this business. Mr. DePalo advised that all reports from department heads were favorable and ascertained that the Brunyaks were aware of the variance for the location. Mr. DePalo asked for questions from the Board and then opened the hearing to the public. As there was no public comment; motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the application by Gail and Michael Brunyak for a Common Victualler's license for G & M Cart Company, 1000 Boston Turnpike. Hours of operation Monday-Saturday, 11:00am-8:00pm and Sunday, 11:00am-6:00pm. Motion was seconded and unanimously voted.
6. 7:30pm – Zante, Inc. d/b/a Sophie's, 81 Clinton Street, Andreas Tsukalas, owner, pledge of stock/license for All Alcoholic Beverages License. Atty. Michael Lalikos was present representing Mr. Tsukalas. He told the Board that the pledge of license and stock was part of the purchase and sales agreement for the 81 Clinton Street property. Mr. DePalo advised that reports from department heads were favorable. Mr. Fiore asked if any changes were planned. Atty. Lalikos said he was unaware of any plans to change the business at this time. The hearing was opened to be public and as there was no comment, motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the application of Andreas Tsukalas, Zante, Inc. d/b/a Sophie's, 81 Clinton Street for pledge of stock/license for All Alcoholic Beverages License for purpose of mortgage for purchase of property at 81 Clinton Street. Motion was seconded and unanimously voted.

Old Business:

7. Day of Town Election. Mr. DePalo reviewed the history of Monday election days. He said that at present the town is using the function room of the Assembly of God Church on Route 20 as a polling place and it is difficult to get into that facility to set up on Sundays as the church is using the room. Mr. Morgado added that the town also uses the Froshinn Club and SAC Park for this purpose and runs into set up problems in those locations as well. After a discussion in which various suggestions were made including one by Mr. Fiore to consolidate polling places and locate them in public buildings, the Board decided to talk to Town Clerk Ann Dagle and schedule a public hearing to get public input. A public hearing will be held on September 13th in the Old Selectmen's Room regarding this matter. The Board also encouraged people to e-mail or contact to them with their thoughts.

New Business:

8. Board to vote to declare 52 Holden Street surplus and available for disposition pursuant to the provisions of GL Chap. 30B, Section 16. Mr. Morgado reviewed the RFP for the Holden Street house and Town Meeting action. Motion was made by Mr. Lebeaux that the Board declare the single family home and parcel of land known as 52 Holden Street surplus and available for disposition pursuant to the provisions of General Laws Chapter 30B, Section 16 and that the disposition be via sealed proposal to the highest bidder and that the use of the property be restricted to a single family home. Motion was seconded by Mr. Card and unanimously voted. Mr. Morgado added that open houses will be held at the property on August 8th and August 12th from 2:00pm to 6:00pm and the house will be open for home inspections on August 9th from 9:00am to 7:00pm.
- 8a. Appoint new Associate Member of ZBA to fill unexpired term of David A. L'Ecuyer. Term to expire June 30, 2005. This appointment is necessary as Mr. L'Ecuyer has resigned from the ZBA to assume a position on the Finance Committee replacing Daniel DeWolfe. Motion was made to appoint Peter Collins as an Associate member of the ZBA to fill the unexpired term of David L'Ecuyer expiring on June 30, 2005. Motion was seconded and unanimously voted. Mr. Hammond thanked all those who had expressed an interest in serving on the various boards and encouraged others to do the same, as these letters are kept on file and reviewed when openings occur.

Executive Session:

9. Collective bargaining, pending litigation and value of real property. Motion was made, seconded, and unanimously voted to adjourn into executive session at 7:54pm and not to reconvene for the purpose of discussing collective bargaining and pending litigation. The Board was polled, Mr. Fiore, yes, Mr. Hammond, yes, Mr. Card, yes, Mr. Lebeaux, yes and Mr. DePalo, yes.

Communications:

10. Noted copy mailed: Annual Assessment/Tax Classification Procedures. Mr. Morgado said that the Assessors portion is more involved and the required notice is as well.
11. Noted copy mailed: Dept. of Housing Re: Updated Housing Plan.
12. Noted copy mailed: ARC of Innovation Update, 7/13/04.
13. Noted copy mailed: E-mail from Peter Collins, 94 North Street, re Building Committee.
14. Noted copy mailed: Mass. Dept. of Revenue Bulletin, 2004-10B, Training Program for Assessors.
15. Noted copy mailed: Municipal Benchmarking Newsletter, July 2004.
16. Noted copy mailed: ZBA Hearing Minutes, 6/29/04, Dorothy Wentworth, 10 Leblanc Road.
17. Noted copy mailed: ZBA Hearing Minutes, 6/29/04, Kim Glatki, 17 Huntington Road.
18. Noted copy mailed: ZBA Hearing Minutes, 6/29/04, Harry & Cecelia Novelle, 262 Oak Street.
19. Noted copy mailed: ZBA Hearing Minutes, 6/29/04, Jack Canzano, 479 Hartford Turnpike.
20. Noted copy mailed: Veolia Water Monthly Compliance Report, June 2004.
21. Noted copy mailed: Westborough Treatment Plant Board Meeting Minutes, 6/28/04.
22. Noted copy mailed: Letter from Rep. Polito re Avalon-Shrewsbury Projects.
23. Noted copy mailed: ZBA Hearing Agenda, 8/3/04.
24. Noted copy mailed: E-mailed from David Murdock, Jr., 19 Waterville Lane, re Copy of letter written to Avalon Bay Communities.
25. Noted copy mailed: Letter from Sec. of Transportation Grabauskas re MPO Federal FY2005-2009 Transportation Improvement Programs.
26. Noted copy mailed: Memo from DHCD re Reestablishment of Peer-to-Peer Program.

27. Noted copy mailed: Letter from James Pignataro, 11 Glen Terrace, expressing interest in reappointment to the Scholarship Committee. Motion was made to reappoint James Pignataro to the Scholarship Committee for a term of three years expiring on October 31, 2007.
28. Noted copy mailed: Letter from AvalonBay re concerns of Southwoods residents.
29. Noted copy mailed: Letter from Town Moderator Kevin Byrne appointing David A. L'Ecuyer, 45 Boylston Circle, to Finance Committee.
30. Noted copy mailed: Mass. Dept. of Revenue Bulletin 2004-11B, "What's New in Municipal Law" Seminar.
31. Noted copy mailed: ARC of Innovation Alert, 7/22/04, & Issue Brief, 7/21/04, re Water Policy Task Force Report & Recommendations. Mr. Hammond asked if Supt. Tozeski had reviewed this material and would respond. Mr. Morgado replied that a response is in the works.
32. Noted copy mailed: E-mail from Ruby Schwartz, 200 Cherry Street, re traffic. Forward to Chief Sampson.
33. Noted copy mailed: Memo from CMRPC re Grant Opportunity for Communities with EO-41 Housing Plans.
34. Noted copy mailed: Letter from Mr. Morgado appointing Donald Naber, 26 Nightingale Drive, to Planning Board.
35. Noted copy mailed: Letter from David L'Ecuyer, 45 Boylston Circle, resigning as Associate Member of ZBA.
36. Noted copy mailed: E-mail from Peter Collins, 94 North Street, expressing interest in appointment to ZBA.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 7:54pm not to reconvene for the purpose of discussing collective bargaining and pending litigation.

Respectfully submitted,

Janice C. McCoy
Secretary